

THE HON'BLE SRI JUSTICE GODA RAGHURAM

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W.P.NO.3689 OF 2006

Between:

Bavuta Beedi Mazdoor Union, rep. By Pathanlla Allauddin

...Petitioner

vs.

The Labour Officer-I, Guntur and two others.

...Respondents.

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ORAL ORDER

The writ petition is patently misconceived. The petitioner is a Bavuta Beedi Mazdoor Union, Islampet, Tenali, Guntur District. Its members traditionally obtained beedi material from the 2nd and 3rd respondents, who are private beedi contractors, rolled and prepared the beedies and used to handover the beedies so processed to the 2nd and 3rd respondents. In the writ petition it is alleged that the 2nd and 3rd

respondents have altered the traditional system and are insisting that only such member of the petitioner-union or the family members who have actually rolled the beedies should come and supply the processed beedies to the 2nd and 3rd respondents. In this behalf they made a complaint to the Labour Officer, Guntur. The Labour Officer, Guntur attempted some joint meetings. The disputes however were not settled and the Labour Officer by a communication dated 31-01-2006 addressed the petitioner-union to pursue its own remedies. The petitioner is thus before this Court.

In the writ petition the relief sought is as under:-

“declaring the action of the respondents in not giving the beedi raw material to prepare beedies and in Proc.No.C/1 Dis.No.60/2005, dt.31.1.2006 when the Joint meetings were conducted on 21.1.2006 at Tenali and 31.1.2006 in this office wherein the issues raised were not settled is illegal, arbitrary and violation of the Art.14 of the constitution of India and consequently direct the respondents to allow the petitioner and the members under Bavuta Beedi Mazdoor Union Regd. No.1604-C to allow the Petitioners to take the raw material for the respondents and handover the beedies to the respondents as usually by them or by the family members and to give compensation to the workers from the date on which stopped to supply the material”

The respondents 2 and 3 are neither pleaded nor discernable to be a State or Instrumentality of the State in any measure. They are private beedi contractors pure and simple. Any relationship that the members of the petitioner's union that have such private agencies are not amenable to public law remedies under Article 226 of the Constitution. No violation of any statutory or any legal right is urged or established.

The writ petition is accordingly dismissed. The petitioner is at liberty to pursue its appropriate remedies. No order as to costs.

GODA RAGHURAM,J

2nd MARCH 2006

***TSNR**